REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	22 July 1997
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Virgin Hitch-Hiker
Other Known Titles:	No 31 One Letter to Editor
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Stated
Author:	Wayne J Allison
Format:	Letter/Story
Country of Origin:	Australia
Language:	English

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Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The correspondence entitled *Virgin Hitch-Hiker* (also known as *No 31 One Letter to Editor*) is classified as:
Objectionable.

The classification has been given because the correspondence promotes and supports the exploitation of young persons for sexual purposes, and the use of violence, and coercion, to compel a person to participate in, and submit to, sexual conduct. The promotion and support of these activities is achieved through the correspondence describing the youth of a male and his rape in a sexualised manner for the purpose of sexual titillation.

The publication consists of a covering letter and a five page story, typed on A4 paper. The story has been submitted to a magazine for the purpose of being published. The story describes a fifteen year old male hitch-hiker who is sexually assaulted by two older males. The physical attributes associated with the youth of the fifteen year old are particularly focused upon. When sexual advances are made toward him, the young male protests. While the youth is described at times as enjoying the experience, attention is paid to the protests of the youth and the pain suffered by him as he is assaulted. Sexual activity includes fellatio, anilingus, and anal intercourse. The activity is described with attention to the aggressive nature of the assault. The youth eventually passes out from the pain endured while being anally penetrated.

Consideration is given to s14, s5, and s6 of the New Zealand Bill of Rights Act 1990 (NZBR Act). Due to the publication promoting and supporting the exploitation of a young person for sexual purposes and the use of violence and coercion to compel a person to submit to, and participate in, sexual conduct, s3(2)(a) and s3(2)(b) of the Films, Videos and Publications Classification Act 1993 (FVPC Act) are applied to this publication. Section 14 of the NZBR Act is inconsistent with s3(2) of the FVPC Act, which is a deeming provision, and therefore s14 of the NZBR Act does not apply to *Virgin Hitch-Hiker*.

OFLC Ref: 9502136